

Court of Appeals, State of Michigan

ORDER

Brenda Stumbo v Karen Lovejoy Roe

Docket No. 353695

LC No. 20-000443-CZ

Jane M. Beckering
Presiding Judge

Jane E. Markey

Mark T. Boonstra
Judges

The June 5, 2020 majority opinion is hereby AMENDED to correct clerical errors.

On page 1, the second sentence of the paragraph is corrected to read: The failure to supply a facially proper Affidavit of Identity (AOI), i.e., an affidavit that conforms to the requirements of the Election Law, is a ground to disqualify a candidate from inclusion on the ballot.

On pages 1-2, the fourth sentence of the paragraph is corrected to read: The trial court predicated its disqualification of Roe's candidacy on the finding that the AOI filed by Roe was "facially defective" because Roe had failed to strictly comply with the attestation instructions issued by the Secretary of State under MCL 168.31.

On page 2, the seventh sentence of the paragraph is corrected to read: Rather, we hold that as long as the AOI has been signed by the candidate and notarized in a manner allowed under MCL 55.285, the AOI strictly complies with the attestation requirements implicit in MCL 168.558 and the clerk has a legal duty to certify the affiant to the board of election commissioners for placement on the ballot.

Footnote 4 is corrected to read: Although a signature date that pre-dates the notarization date might call into question the accuracy or veracity of the representations the affiant is making as of "the date of the affidavit," the accuracy of Roe's representations in her AOI is not before this Court.

In all other respects, the June 5, 2020 majority opinion remains unchanged.


Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

June 11, 2020

Date


Chief Clerk